

## **REMARKS**

### **Status of the Claims**

Claims 1-8 are pending in this application. Claims 1, 3, 4, 6, and 7 are rejected. Claim 8 is withdrawn from consideration. Claims 2-5 have been objected to.

Claims 1, 3 and 4 have been amended. Claims 9 and 10 are newly added. No new matter has been added.

### **Restriction/Election**

In response to the restriction requirement set forth in the Office Action dated June 24, 2008, Applicant elects Group I, claims 1-7. drawn to a rim disk assembling device.

### **Claim Objections**

Claims 1 and 8 are objected to for informalities. Claim 8 has been withdrawn, rendering this objection moot. Claim 1 has been amended in accordance with the Examiner's suggestions.

### **Allowable Subject Matter**

Applicant would like to thank the Examiner for the acknowledgment of allowable subject matter in claims 2-5. Applicant has added claims 9 and 10 which include, respectively, the elements of claims 2 and 5 along with the limitations of the base claim and any intervening claims. Accordingly, claims 9 and 10 are in condition for allowance.

Claims 3 and 4 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Claims 3 and 4 have been amended to correct informalities in response to the Examiner's recommendations.

### **Rejection Under 35 U.S.C. §103**

Claim 1 is rejected under 35 U.S.C. §103(a) as being unpatentable over Kishiro (JP 03285799A) in view of Shalosky (U.S. Patent No. 6,513,241). Applicant respectfully traverses the Examiner's rejection.

Applicant submits that neither Kishiro, nor Shalosky, either alone or in combination, teach or suggest Applicant's claimed invention as set forth in claim 1. In particular, neither Kishiro nor Shalosky teach or suggest the configuration of having the device able to bring "into a pressed contact state the disk radially positioned with the hub hole fitting member and the rim radially positioned with the rim position restraining means by sandwiching them between the disk supporting member and the rim supporting member and by pulling up the centering rod connected through the rod connecting means to the rotary table while pressing down the rim flange portion with the rim supporting member." (*See* claim 1).

Applicant's configuration prevents pressure by the rim supporting member from impacting directly on the rotating means for rotating the rotary table. Thus, the rotating means allows the rotary table to rotate in a more stable manner. Additionally, because the rim and the disc can be attached and sandwiched by a pressing force and a pulling force the rim and disc can be attached/pressed firmly. Thus, Applicant's invention can improve and stabilize weld quality. (*See* Applicant's Specification, p. 4, line 19 – p. 5 line 27).

In contrast, Kishiro discloses a configuration where a "rim clamp 34 moves downward to press rim 22 against the disc 23. In this way, because the tapered surface 34a of the rim clamp 34 touches a plane of the inner circumference 22a of the rim 22, the tapered surface 34a is fitted coaxially to rim clamp 34 by wedge effects. Thus, when the rim clamp 34 is moving downward, because a centering pole 32 disposed at a rotary table 25 is fit in a guide hole 34b of the rim clamp 34, center positions of the rim 22 and disc 23, of which positions are determined by the tapered surface 34a of the rim clamp 34, are determined." (Kishiro, col. 10, lines 5-16). The centering pole 32 is formed to determine center positions of the rim and disc 23 by being inserted into guide hole 34b. At this stage, (a bore diameter of) a slide bearing 35 functions as the guide hole 34b that fits the centering pole 32 to improve tribologic property. (Kishiro, col. 8, lines 14-18).

Further, Kishiro fails to disclose a configuration that the rim clamp 34 is connected to the centering pole 32 as shown in Figs. 1 and 2. Thus, the centering pole 32 and the guide hole 34b are not connected. One of skill in the art could not apply Shalosky to Kishiro because it would not solve this omission of Kishiro since Shalosky's disclosure of tooling members would teach away from utilizing Kishiro's configuration of not having the rim clamp connected to the centering pole.

Moreover, in Kishiro, when rim 22 and disc 23 are pressed to be attached and welded, only rim 22 is pressed by rim clamp 34. (Kishiro, col. 11, lines 3-4). Thus, Kishiro fails to disclose an action to pull up the centering pole 32 during the welding process. Lacking this specific configuration does not allow Kishiro to exert the same effects as Applicant's present invention. As noted, a combination of Kishiro with Shalosky would fail to yield the same technical advances of the present invention. Indeed, Applicant respectfully submits that it is only with the use of impermissible hindsight of Applicant's disclosure that the Examiner may state that the present application is obvious in view of Kishiro and Shalosky.

Accordingly, Applicant respectfully requests that the rejection be withdrawn.

Claims 6 and 7 are rejected under 35 U.S.C. §103(a) as being unpatentable over and Shalosky in view of Voglrieder (U.S. Patent No. 4,173,817).

Applicant respectfully submits that claims 6 and 7 depend either directly or indirectly from independent claim 1 and are allowable for at least the same reasons as set forth above in connection with claim 1. Accordingly, the rejection of claims 6 and 7 should be withdrawn.

### CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Dated: September 24, 2008

Respectfully submitted,



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